

SPECIAL BOARD OF ADJUSTMENT (P.L. BOARD) NO. 39

Award No. 11
Case No. MW-223

PARTIES TO THE DISPUTE:

Brotherhood of Maintenance of Way Employees
and
Spokane, Portland and Seattle Railway Company (System Lines)

STATEMENT OF CLAIM: "Claim of the System Committee of the Brotherhood
that:

(1) The Carrier violated the Agreement when, between November 1 and November 18, 1965, it permitted outside forces to dismantle the team track loading dock near Garfield Crossing at Eugene, Oregon.

(2) Machine Operator D. Legore and B&B employes H. Scheckla, J. Wheeler, J. Wallace, R. Roberts, F. Williams and J. Jurgens each be allowed pay at their respective straight-time rates for an equal proportionate share of the total number of man-hours consumed in the performance of the work referred to in Part (1) of this claim."

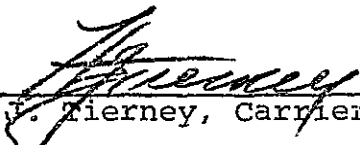
FINDINGS:

The Board, upon the whole record and all the evidence finds that:

In view of the facts and circumstances in this particular case and without construing the rules of agreement relied upon by the parties as they might apply to any other case involving the same or similar set of circumstances, each claimant will be allowed \$10.00

AWARD: As per Findings.


J. P. Wilson, Employee Member


H. J. Tierney, Carrier Member

Portland, Oregon
August 10, 1967